

Message Text

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PAGE 01 PARIS 12338 01 OF 03 141622Z
ACTION IO-14

INFO OCT-01 CIAE-00 ICAE-00 INR-10 NSAE-00 AID-05
AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00 HA-05
OIC-02 L-03 INRE-00 SSO-00 SS-15 NSCE-00 /107 W
-----014783 141640Z /50

O R 141611Z APR 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 0125
INFO AMEMBASSY BUCHAREST
AMEMBASSY CANBERRA
USMISSION GENEVA
USMISSION USUN

C O N F I D E N T I A L SECTION 01 OF 03 PARIS 12338

NESCO

E.O. 11652: GDS
TAGS: UNESCO, AORG, PORG
SUBJECT: UNESCO: DUMITRESCU

REF: STATE 089488

1. IT WILL BE SOME TIME BEFORE PERMDEL CAN GATHER ALL INFO REQUESTED IN REFTEL, AND WE THINK DEPARTMENT WOULD BE SERVED BEST IF WE TRANSMIT THE INFORMATION AS WE OBTAIN IT.
2. FORMER LEGAL ADVISER CLAUDE LUSSIER IS OUT OF TOWN AT PRESENT, AS IS ACTING LEGAL ADVISER PERRENOUD. NEXT IN LINE IS BADERKO, A SOVIET CITIZEN, AND WE DO NOT CHOOSE TO GO TO HIM FOR VIEWS ON DUMITRESCU. WE HAVE TYPED OUT THE DEPARTMENT'S QUERIES IN A SLIGHTLY SANITIZED FORM READY TO PRESENT TO PERRENOUD AS SOON AS HE IS AVAILABLE.

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3. WE REMIND ALL ADDRESSEES THAT NATIONAL POLICIES IN THE UNESCO EXECUTIVE BOARD (EXBD) REFLECT THREE PULLS: THE EXBD MEMBER, THE FOREIGN OFFICE OF THE EXBD MEMBER'S COUNTRY, AND THE COUNTRY'S DELEGATION TO UNESCO. THE US PERMDEL IN COMPILING THIS MESSAGE HAS CONTACTED MAINLY THE RESIDENT PERMDELS, ALTHOUGH SOME OF THEM ARE ALSO EXBD MEMBERS. IN OTHER CASES,

THE EXBD MEMBER RESIDES IN HIS HOME COUNTRY, COMES TO PARIS ONLY FOR MEETINGS, AND WAS NOT AVAILABLE TO US THIS PAST WEEK. THE STRENGTH OF THE THREE FORCES INVOLVED VARIES FROM COUNTRY TO COUNTRY, AND WHAT THE PERMDELS SAY HERE IN PARIS, MAY OR MAY NOT, REFLECT THE POSITION THAT AN EXBD MEMBER WILL TAKE A FEW WEEKS HENCE.

4. VLADIMIR STEPANEK, SECRETARY OF THE EXBD, CONFIRMED THAT DUMITRESCU WILL BE ON THE AGENDA OF THE 104TH SESSION, FIRST IN A PRIVATE SITTING AND THEN IN A PUBLIC SITTING. HE SAID THAT LUSSIER HAD PREPARED A LEGAL BRIEF OF ABOUT 30 PAGES THAT WILL BE READY IN THE ENGLISH VERSION NEXT WEEK, AND WILL BE PUT BEFORE THE EXBD.

5. WE HAVE SPOKEN THUS FAR WITH TEN PERMDEL WHOSE VIEWS ARE SUMMARIZED AS FOLLOWS:

A. HUGH PHILP, EXBD MEMBER FROM AUSTRALIA, HAS LEFT PARIS AND RETURNED TO THE HAGUE, BUT WE SPOKE WITH AUSTRALIAN PERMDEL DAVIES AND DE LONGCHAMP TOGETHER). THEY FELT THAT PHILP OVERESTIMATES THE GOA'S WILLINGNESS TO LET HIM PUSH THE ISSUE. THEY DID AGREE, HOWEVER, THAT THE GOA PROBABLY WOULD SUPPORT SOMEONE ELSE'S INITIATIVE. QUESTIONS RAISED IN PARA 9 (I) OF CONFIDENTIAL

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REFTEL WOULD HAVE TO BE ANSWERED IN CANBERRA. (NEW AUSTRALIAN PERMREP WILL NOT ASSUME HIS FUNCTIONS UNTIL SEPTEMBER).

B. ALTHOUGH AUSTRIA IS NOT A MEMBER OF THE EXBD, WE CONSULTED WESTERHOF, THEIR PERMREP, SINCE AUSTRIA COULD REQUEST PERMISSION TO SPEAK DURING THE PUBLIC SITTING. HE NOTED THAT THE AUSTRIAN FOREIGN MINISTER HAS A GREAT INTEREST IN HUMAN RIGHTS, BUT HE PARALLELED THIS REMARK WITH A REMINDER OF AUSTRIA'S NEUTRALITY. HE SAID HE WOULD ASK VIENNA FOR ITS VIEWS.

C. CANADA, LIKEWISE, IS NOT A MEMBER OF THE EXBD BUT PERMREP AMBASSADOR BEAULNE SAID HE WOULD DO WHAT HE COULD TO HELP IN HIS CAPACITY AS AN OBSERVER, AND HE WOULD RECOMMEND TO OTTAWA THAT CANADA GIVE POSITIVE SUPPORT AT THE GENERAL CONFERENCE, IF THE ISSUE GOES THERE FOR ACTION.

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O R 141611Z APR 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 0126
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D. FRG PERMREP AMBASSADOR FABRICIUS STRONGLY
RECOMMENDED LETTING THE MATTER REST FOR A YEAR. HE
LIVED IN ROMANIA WHEN HIS FATHER WAS GERMAN AMBASSADOR
THERE, AND FEELS HE KNOWS SOMETHING ABOUT THE
ROMANIANS. HE BELIEVES FURTHER PUBLIC PRESSURE WILL
HARDEN GOR POSITION AND MIGHT EVEN HAVE FATAL CON-
SEQUENCES FOR DUMITRESCU. ALTHOUGH WE RAISED THE
ISSUE WITHOUT ADVANCE NOTICE OF THE SUBJECT WE WISHED
TO DISCUSS, FABRICIUS CAME BACK HARD AND CLEAR WITH A
WELL COMPOSED STATEMENT THAT MADE IT EVIDENT HE HAD
ALREADY WORKED OUT HIS OWN POSITION. HE WAS VIGOROUS,
ALMOST TO THE POINT OF BEING VEHEMENT, IN HIS OPPOSI-
TION TO FURTHER PUBLIC ACTION, AND IF
DECISION WERE LEFT TO HIM, HE WOULD NOT ONLY NOT
SUPPORT AN INITIATIVE, HE WOULD ACTIVELY OPPOSE IT.
HOWEVER, HE IS NOT THE EXBD MEMBER -- THAT REMAINS
DR. JENS PETERSEN, CURRENTLY HEAD OF THE FAR EASTERN
DIVISION OF THE FRG FOREIGN MINISTRY. DEPARTMENT MAY
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WISH TO CONSIDER APPROACHING PETERSEN IN BONN BEFORE

HE COMES TO PARIS AND SEE WHAT HIS POSITION MAY BE.

E. FRENCH EXBD MEMBER, AMBASSADOR VALERY, WAS NOT EVEN AWARE THAT DUMITRESCU WOULD BE ON THE AGENDA, AND SAID HE THOUGHT THE GOF WOULD HAVE NO ENTHUSIASM FOR AN INITIATIVE FOR FURTHER PUBLIC ACTION. HE SAID THAT IF HE WERE THE DESK OFFICER IN THE QUAI, HE WOULD SOUND A NOTE OF CAUTION IN THE MATTER. VALERY REFERRED TO THE UNCLEAR NATURE OF THE CHARGES AGAINST DUMITRESCU, AND INDICATED THIS WOULD BE A PROBLEM FOR THE GOF.

F. JAPANESE PERMREP ARAKI, WHO IS NEW HERE, HAD READ HIS DELEGATION'S FILE, BUT IT GAVE HIM NO INDICATION OF WHETHER OR NOT GOJ WOULD SUPPORT AN INITIATIVE ON DUMITRESCU. HE AGREED TO ASK TOKYO FOR INSTRUCTIONS.

G. WE SPOKE WITH NIGERIAN PERMREP IBEBBULAM, AND HIS PERSONAL REACTION WAS THAT FURTHER PUBLIC PRESSURE WOULD BE COUNTERPRODUCTIVE. IBEBBULAM SAID M'BOW HAD NOT REPEAT NOT ASKED THE AFRICAN GROUP FOR SUPPORT ON DUMITRESCU. IBEBBULAM IS THE ASSISTANT SECRETARY OF THE AFRICAN GROUP AND WOULD KNOW ABOUT SUCH MATTERS. WE ASKED HIM TO TELL AGIOBU-KEMMER THAT THE ITEM WOULD BE ON THE EXBD'S AGENDA, AND ASK HIM TO TAKE IT UP WITH THE AFRICAN GROUP.

H. SWISS PERMREP AND EXBD MEMBER HUMMEL SAID THE SWISS GOVERNMENT HAS NO FORMAL POSITION ON THE ISSUE, BUT IT WOULD SUPPORT WHATEVER EFFORTS IT BELIEVES WILL WIN DUMITRESCU SOME RELIEF. GOS HAS ALWAYS SUPPORTED ICJ, AND WOULD PROBABLY BACK EFFORTS TO SEEK AN ADVISORY OPINION IF THIS ACTION WOULD HELP DUMITRESCU.
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IN ANY EVENT, HUMMEL BELIEVES THAT THE 104TH EXBD WILL FOLLOW THE LEAD OF THE DIRECTOR GENERAL IN THIS MATTER. IF M'BOW REPORTS TO THE EXBD THAT THE ICJ IS A GOOD IDEA, THEN THE EXBD WILL SUPPORT HIM. IF M'BOW REPORTS THAT THE ICJ ACTION WOULD PROBABLY RESULT IN NO SOLUTION, THEN THE EXBD COULD NOT BE COUNTED ON TO SUPPORT THE ICJ TACTIC. HUMMEL ALSO SAID THAT M'BOW TOLD THE SWISS FOREIGN MINISTER THAT DUMITRESCU WOULD BE DISCUSSED BY WALDHEIM AND THE HEADS OF UN AGENCIES DURING A MEETING (WHICH APPARENTLY HAS TAKEN PLACE BY THIS TIME) IN LONDON. THE RESULTS OF THIS

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MEETING WOULD BE IMPORTANT IN SHAPING A DECISION WITH
RESPECT TO DUMITRESCU.

I. UK DEPUTY PERMREP (PERMREP IS IN LONDON UNDERGOING
MEDICAL TREATMENT) INDICATED THAT LEN MARTIN WILL
DETERMINE HMG'S POLICY ON THIS ISSUE, AND THAT MARTIN
IS CONCERNED THAT NOTHING BE DONE THAT WOULD REFLECT
UNFAVORABLY ON EFFORTS HE AND M'BOW HAVE MADE THUS
FAR. MARTIN WILL DO WHAT M'BOW WANTS DONE, AND WILL
TRY TO HEAD OFF ANY ACTION OF WHICH M'BOW DOES NOT
APPROVE.

J. MEXICAN PERMREP PRESIDENT ECHEVERRIA IS TIED UP IN
THE MEETING OF EXPERTS ON THE NIEO UNTIL LATE APRIL 14,
BUT HIS DEPUTY, LOPEZ ORTEGA, SAID SHE WOULD PUT THE
MATTER TO HIM AS SOON AS SHE CAN. SHE DID KNOW THAT
HE INTENDS TO TALK WITH THE ROMANIAN DELEGATION NEXT
WEEK IN ORDER TO GET A FEEL FOR WHAT ACCOMMODATION
THEY MIGHT BE PREPARED TO MAKE. SHE THOUGHT PRESIDENT
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ECHEVERRIA WOULD WANT TO WAIT UNTIL HE HAD TALKED WITH
THE ROMANIANS BEFORE RESPONDING TO OUR INQUIRY.

6. ITALIAN PERMREP, CARDUCCI, IS IN ITALY THIS WEEK,
AND OUT OF TOUCH.

7. WE DO NOT WISH TO IMPLY THAT M'BOW WOULD TAKE
LIBERTIES WITH THE LAW, BUT MANY OF THE LEGAL ASPECTS
OF THIS CASE SEEM UNCLEAR. THIS BEING THE CASE, IF
M'BOW MAKES A POLITICAL DECISION TO GO TO THE ICJ, WE
WOULD THINK THAT HIS LEGAL COUNSEL WOULD INTERPRET THE
UNCLARITIES IN SUCH A WAY AS TO PERMIT HIM TO DO SO.
HEATER

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